

Motion GRANTED.  
Hearing reset for  
1/11/13 at 11:00 a.m.

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

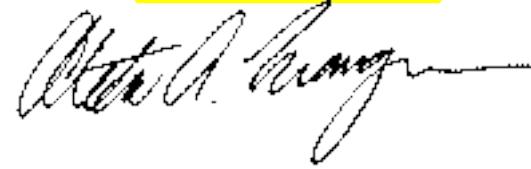
UNITED STATES OF AMERICA

v.

EDWARD DESHAWN SMITH

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No. 3:08-00248  
JUDGE TRAUGER



MOTION TO CONTINUE REVOCATION HEARING

Through counsel, defendant Edward Deshawn Smith moves to continue the revocation hearing set today, October 15, in this matter.

In support of this motion, defense counsel would show the following:

(1) The most serious allegations in the revocation petition related to new criminal conduct, alleged by the government and charged separately in *United States v. Edward Deshawn Smith*, Case No. 3:12-00186, in front of Judge Haynes. Mr. Smith has been arraigned in that matter but a trial schedule has not yet been set and defense counsel has not yet received discovery. It appears that Mr. Smith faces a substantial term of imprisonment if convicted in the new case.

(2) Because the trial proceeding directly relates to the allegations in the revocation petition, and to protect Mr. Smith's Fifth Amendment rights at this juncture, defense counsel requests that the revocation proceedings be postponed until after defense counsel receives discovery and can determine how Mr. Smith will proceed in the other matter.